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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

**Edward A. Jesser**

**FOR: RFID TAG ASSEMBLY  
AND SYSTEM**

**SERIAL NO: 09/925,228**

**FILED: August 8, 2001**

**ART UNIT NO: 2635**

**EXAMINER: to be assigned**

**Attorney Docket No: EMS-02-016U**

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**OFFICE OF PETITIONS**

**REQUEST FOR RECONSIDERATION OF PETITION  
UNDER 37 C.F.R. § 1.47(b)**

Assistant Commissioner for Patents  
Box DAC  
Washington, DC 20231

Dear Sir:

In response to the "Decision Refusing Status under 37 C.F.R. § 1.47", dated November 15, 2001, submitted herewith is a Declaration executed by the originally non-signing inventor. Also enclosed is the requisite \$65.00 surcharge for late filing of the Declaration.

01/15/2002 GTEFFERA 00000021 09925228

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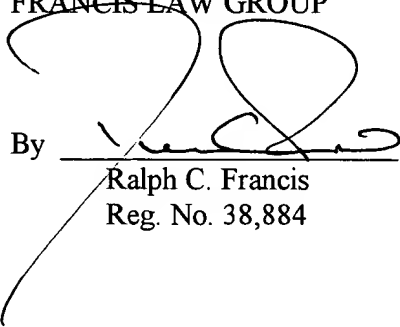
65.00 OP

If the Petitions Examiner has further questions or comments, Applicant invites the Petitions Examiner to call Applicant's attorney at the number given below to advance the prosecution of this matter.

Respectfully submitted,

FRANCIS LAW GROUP

By

  
Ralph C. Francis  
Reg. No. 38,884

Dated: January 4, 2002  
1808 Santa Clara Avenue  
Alameda, CA 94501  
(510) 769-9800

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I hereby certify that this document is being deposited with the United States Postal Service on this date 1-4-02  
in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV044755022US  
addressed to the Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

Danielle Gragg  
Name of person mailing document

Danielle Gragg



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**COMBINED DECLARATION AND  
POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

As below named inventors, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

## INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship is as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### RFID TAG ASSEMBLY AND SYSTEM

## SPECIFICATION IDENTIFICATION

the specification of which:

(a) \_\_\_\_\_ is attached hereto.

(b) XX was filed on August 8, 2001  
Application Serial No. 09/925,228

and was amended on \_\_\_\_\_

(c) \_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ and  
as amended under PCT Article 19 on \_\_\_\_\_.

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## ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information

XX which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a).

XX and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and

\_\_\_\_\_ In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR §1.98.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
Not Applicable			___ Yes    No ___
			___ Yes    No ___
			___ Yes    No ___

**PRIORITY CLAIM(S) UNDER 35 U.S.C. §§ 119(a)-(d)**

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(d)    XX    no such applications have been filed.

(e)    \_\_\_    such applications have been filed as follows.

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**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL  
APPLICATION(S) UNDER 35 U.S.C. § 119(e)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER

FILING DATE

60/224,932

August 11, 2000

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. §120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code §112, I/we acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC §120:**

<u>U.S. APPLICATIONS</u>	<u>U.S. FILING DATE</u>	<u>STATUS</u> (Patented/Pending/Abandoned)
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Not Applicable

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Not Applicable

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**RALPH C. FRANCIS  
FRANCIS LAW GROUP  
1808 Santa Clara Avenue  
Alameda, CA 94501  
Reg. No. 38,884  
Tel No.: (510) 769-9800**

— Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representatives

---

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

**FRANCIS LAW GROUP**  
1808 Santa Clara Avenue  
Alameda, CA 94501  
Tel: (510) 769-9800  
Fax: (510) 769-9804

**RALPH C. FRANCIS**  
Reg. No. 38,884

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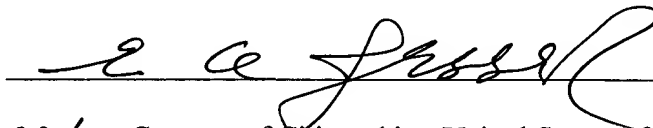
**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURES**

Full name of inventor: EDWARD A. JESSER

Inventor's signature



Date: 12-21-2001 Country of Citizenship: United States of America

Residence: 20842 Nez Perce Trail, Los Gatos, CA 95030

Post Office Address: \_\_\_\_\_

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\_\_\_\_ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.

Number of pages added \_\_\_\_

\* \* \*

\_\_\_\_ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47.

Number of pages added \_\_\_\_

\* \* \*

\_\_\_\_ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.

\_\_\_\_ Number of pages added \_\_\_\_

\* \* \*

\_\_\_\_ Authorization of attorney(s) to accept and follow instructions from representative.

\* \* \*

  X   This Declaration ends with this page.

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